

# UNITED STATES BANKRUPTCY COURT

UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF TENNESSEE

In re Joseph C. Cawood;  
Debtor

Case No. 14-13504

Chapter 13

## Notice of Mortgage Payment Change

If you file a claim secured by a security interest in the debtor's principal residence provided for under the debtor's plan pursuant to § 1322(b)(5), you must use this form to give notice of any changes in the installment payment amount. File this form as a supplement to your proof of claim at least 21 days before the new payment amount is due. See Bankruptcy Rule 3002.1.

Name of creditor: Federal National Mortgage Association ("Fannie Mae"), creditor c/o Seterus, Inc

Court claim no. (if known):

Last four digits of any number  
you use to identify the debtor's  
account: XXXX8789

Date of payment change:  
Must be at least 21 days after date of 10/01/2014  
this notice

New total payment:  
Principal, interest, and escrow, if any \$ 688.40

### Part 1: Escrow Account Payment Adjustment

Will there be a change in the debtor's escrow account payment?

No

Yes. Attach a copy of the escrow account statement prepared in a form consistent with applicable nonbankruptcy law. Describe the basis for the change. If a statement is not attached, explain why:

Current escrow payment: \$ 168.92

New escrow payment: \$ 172.79

### Part 2: Mortgage Payment Adjustment

Will the debtor's principal and interest payment change based on an adjustment to the interest rate in the debtor's variable-rate note?

No

Yes. Attach a copy of the rate change notice prepared in a form consistent with applicable nonbankruptcy law. If a notice is not attached, explain why: \_\_\_\_\_

Current interest rate: 0.0000 %

New interest rate: 0.0000 %

Current principal and interest payment: \$ 0.00

New principal and interest payment: \$

### Part 3: Other Payment Change

Will there be a change in the debtor's mortgage payment for a reason not listed above?

No

Yes. Attach a copy of any documents describing the basis for the change, such as a repayment plan or loan modification agreement. (Court approval may be required before the payment change can take effect.)

Reason for change: \_\_\_\_\_

Current mortgage payment: \$ \_\_\_\_\_

New mortgage payment: \$ \_\_\_\_\_

**Part 4: Sign Here**

The person completing this Notice must sign it. Sign and print your name and your title, if any, and state your address and telephone number if different from the notice address listed on the proof of claim to which this Supplement applies.

Check the appropriate box.

I am the creditor.  I am the creditor's authorized agent.  
(Attach copy of power of attorney, if any.)

I declare under penalty of perjury that the information provided in this Notice is true and correct to the best of my knowledge, information, and reasonable belief.

Signature

Date September 5 2014

Print: Andrew Goldberg Title Authorized Agent  
Lise Singer  
First Name Middle Name Last Name

Company Rosicki, Rosicki & Associates, P.C.

Address 51 E. Bethpage Road  
Number 51 Street   
Plainview NY 11803  
City State ZIP Code

Contact phone (516) 741-2585 Email agoldberg@rosicki.com  
lsinger@rosicki.com

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Notice of Mortgage Payment Change has been served via Electronic Case Filing on the following parties:

Richard L Banks, Esq.

C. Kenneth Still, Esq.

U.S. Trustee

I hereby certify that a copy of the foregoing Notice of Mortgage Payment Change has been served via first class mail on the following parties:

Joseph C. Cawood;  
435 Mohawk Dr. NW  
Cleveland,, TN 37312

September 9 2014



Felicia Stellman  
Felicia Stellman



PO Box 2008; Grand Rapids, MI 49501-2008

7-769-11507-0000052-001-000-000-000-000

L913C

CAWOOD JR, JOSEPH C  
 CAWOOD, SHERRI  
 C/O RICHARD L BANKS  
 PO BOX 1515  
 CLEVELAND TN 37364-1515

ESCROW ACCOUNT STATEMENT			
Analysis Date:		08/19/14	
Loan Number:			
Escrow Account Number:			
Current Payment		New Payment Effective 10/01/14	
Principal and Interest	\$515.61	Principal and Interest*	\$515.61
Escrow	\$168.92	Escrow	\$172.79
Total Current Payment	\$684.53	Total NEW Payment*	\$688.40

\* The principal and interest payments reflect the contractual amount due under the note, which can be modified with a mutually agreed upon payment plan. In addition, the new principal and interest payment and the total new payment may not reflect any changes due to interest rate adjustments. You will receive a separate notice for interest rate adjustments.

## NEW MORTGAGE PAYMENT NOTICE AND ESCROW ACCOUNT DISCLOSURE STATEMENT

Seterus, Inc. is the servicer of the above referenced loan. In accordance with federal guidelines, your escrow account is reviewed at least once a year to determine if sufficient funds are available to pay your taxes and/or insurance. Your escrow payment will be a minimum of the total anticipated disbursements divided by the number of scheduled installments due in the next 12 months. This payment will increase if you have a post-petition shortage or deficiency. This statement provides a history of actual escrow account activity and a projection of the escrow account activity for the next 12 months.

Our records indicate a petition for Bankruptcy was filed on 08/12/14. Pursuant to that petition, we have filed a proof of claim with the Bankruptcy court. Any deficiency and/or shortage listed under the Proof of Claim section will be excluded from your future scheduled escrow payment as these amounts will be added to your pre-petition arrearage and collected in your bankruptcy plan payment.

ANTICIPATED DISBURSEMENTS October 2014 to September 2015		ESCROW ACCOUNT PROJECTIONS FOR THE NEXT 12 MONTH ESCROW CYCLE		
		Payments to Escrow	Payments from Escrow	Projected Balance
Taxes	970.00			\$-1,151.94
Insurance	1,069.00			\$-1,151.94
PMI	0.00			\$628.16
<b>Total Disbursements</b>	<b>2,039.00</b>			
Bankruptcy File Date	08/12/14			
Proof of Claim Escrow Balance				
Pre-Petition Escrow Deficiency	\$1,489.78			
Pre-Petition Escrow Shortage	\$290.32			
Total Escrow POC	\$1,780.10			
Payments Applied	\$0.00			
Remaining Escrow Balance				
Pre-Petition Escrow Deficiency	\$1,489.78			
Pre-Petition Escrow Shortage	\$290.32			
*Escrow Balance adjusted by proof of claim amounts				
**Beginning balance = Starting balance less any unpaid escrow disbursements due in the prepaid period				
The Real Estate Settlement Procedures Act (RESPA) allows us to collect and maintain up to 1/6 of your total disbursements in your escrow account at all times, unless prohibited by state law. This cushion covers any potential increases in your tax and/or insurance disbursements. Cushion selected by servicer: \$339.83.				
<p>A deficiency occurs if the escrow account has a negative balance. The pre-petition deficiency is accounted for on the POC and will be collected as part of your pre-petition plan payment.</p> <p>An escrow shortage occurs when there is a zero or positive balance in the escrow account but not enough to pay the estimated items and any additional reserve deposits that need to be paid during the next 12 months. This pre-petition shortage is accounted for on the POC and will be collected as part of your pre-petition plan payment. The post-petition shortage of \$171.91 will be collected over the next 60 installments.</p>				

**ESCROW ACCOUNT HISTORY**

This is a statement of actual activity in your escrow account from December 2013 to September 2014. This history compares the projections from your last escrow analysis or initial disclosure and the actual activity in your account. If a prior escrow analysis was not conducted during this historical period, the projected escrow balance will be zero.

ACTUAL ESCROW ACCOUNT HISTORY							
	Payments to Escrow		Payments from Escrow		Description		Escrow Balance
	Projected	Actual	Projected	Actual	Projected	Actual	
<b>Beginning Balance Date</b>							\$-259.81
12/01/13	164.84	0.00*	0.00	0.00			-240.77
12/03/13	0.00	0.00	0.00	477.00*	CITY PROPERTY TAX		-240.77
12/03/13	0.00	0.00	0.00	493.00*	COUNTY PROPERTY TAX		-1,229.81
12/13/13	0.00	164.84*	0.00	0.00			-1,064.97
01/01/14	164.84	0.00*	0.00	0.00			-75.93
01/13/14	0.00	164.84*	0.00	0.00			-900.13
02/01/14	168.92	0.00*	0.00	0.00			92.99
03/01/14	168.92	0.00*	0.00	0.00			261.91
03/04/14	0.00	159.67*	0.00	0.00			261.91
03/17/14	0.00	159.84*	0.00	0.00			261.91
04/01/14	168.92	0.00*	0.00	0.00			430.83
04/18/14	0.00	159.84*	0.00	0.00			430.83
05/01/14	168.92	0.00*	0.00	0.00			599.75
06/01/14	168.92	0.00*	0.00	0.00			768.67
07/01/14	168.92	0.00*	0.00	0.00			937.59
07/21/14	0.00	0.00	0.00	1,069.00*	HAZARD INSURANCE		937.59
07/29/14	0.00	0.00	946.00	0.00*	HAZARD INSURANCE		-8.41
08/01/14	168.92	168.92	0.00	0.00	EST:		160.51
09/01/14	168.92	168.92	0.00	0.00	EST:		329.43
<b>Total</b>	<b>\$1,681.04</b>	<b>\$1,146.87</b>	<b>\$946.00</b>	<b>\$2,039.00</b>			

An asterisk (\*) indicates a difference from a previous estimate either in the date or the amount.

NOTE – This analysis was prepared in advance of the escrow payment change date. Therefore, the projected beginning balance for the next 12 months estimates that you have paid all the required scheduled installments as shown in your actual account history and that all scheduled disbursements have been made from your escrow account.